

## REMARKS

Claims 1-20 were pending in the prior non-provisional application. Claims 1, 8, 10-14 and 16-20 have been amended, and claims 6-7, 9 and 15 have been cancelled without prejudice, leaving Claims 1-5, 8, 10-14 and 16-20 for consideration upon entry of the present amendment. The specification has been amended to incorporate application number 09/726,751 in line 9 of the paragraph [0039] on page 15. This amendment is being submitted along with a Request for Continued Examination under 37 C.F.R. § 1.114 of the prior non-provisional application.

### Claim Rejections Under 35 U.S.C. § 102

Claims 1-3, 5-9, 11-16 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,790,633 to Kinser, jr. et al. (hereinafter "Kinser").

Since claims 6-7, 9 and 15 have been cancelled without prejudice, the rejection of claims 6-7, 9 and 15 is moot.

Claim 1 has been amended to recite a method for proactively maintaining a telephone system local loop, comprising: communicating with a communications network and acquiring status information associated with a Digital Loop Carrier; predicting proactive maintenance based upon the status information; generating work order information describing the predicted proactive maintenance; dispatching a common database of the work order information to a user; updating the work order information in response to new status information inputted by the user. Supports for the amendment can be found, for example, in the paragraph [0040] on page 16 of the specification.

Kinser neither discloses nor suggests the elements: dispatching a common database of the work order information to a user; and updating the work order information in response to new status information inputted by the user, as claimed in claim 1. Thus, claim 1 is not anticipated by or rendered obvious over Kinser. Claims 2-3, 5, 8 and 11-12 depend from claim 1. Accordingly, claims 2-3, 5, 8 and 11-12 are believed to be allowable due to their dependency on claim 1.

Claim 13 has been amended to recite a method for proactively maintaining a telephone system local loop, comprising: communicating with a communications network

and acquiring at least one of customer information associated with a copper line pair, service information associated with the copper line pair, and status information associated with a Digital Loop Carrier; storing the acquired information; combining the stored information; predicting proactive maintenance based upon the combined information; generating work order information describing the predicted proactive maintenance; and storing all the generated work order information to provide historical work order information. Support for the amendment can be found, for example, in the paragraph [0041] on page 16 of the specification.

Kinser neither discloses nor suggests the element: storing all the generated work order information to provide historical work order information, as claimed in claim 13.

Thus, claim 13 is not anticipated by or rendered obvious over Kinser. Claims 14 and 16 depend from claim 13, and thus, claims 14 and 16 are believed to be allowable due to their dependency on claim 13.

Claim 18 has been amended to recite a computer-readable medium on which is encoded computer program code for proactively maintaining a telephone system, comprising: computer program code for communicating with a communications network and acquiring status information associated with a Digital Loop Carrier; computer program code for predicting proactive maintenance based upon the status information; computer program code for providing a common database of the proactive maintenance for a user; computer program code for updating the proactive maintenance in response to new status information inputted by the user; and computer program code for providing historical information of the proactive maintenance by storing all the proactive maintenance. Supports for the amendment can be found, for example, in the paragraphs [0040] and [0041] on page 16 of the specification.

Kinser neither discloses nor suggests the elements: computer program code for providing a common database of the proactive maintenance for a user; computer program code for updating the proactive maintenance in response to new status information inputted by the user; and computer program code for providing historical information of the proactive maintenance by storing all the proactive maintenance, as claimed in claim 18. Thus, claim 18 is not anticipated by or rendered obvious over Kinser.

### Claim Rejections Under 35 U.S.C. § 103

Claims 4, 17 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinser in view of U.S. Patent No. 6,353,902 to Kulatunge et al. (hereinafter "Kulatunge"). Claims 1, 13 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kulatunge. Further, claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinser.

Claims 1, 13 and 18 are not rendered obvious over Kinser, Kulatunge or a combination of Kinser and Kulatunge, because none of Kinser and Kulatunge suggests or teaches the element: dispatching a common database of the work order information to a user, updating the work order information in response to new status information inputted by the user, or storing all the generated work order information to provide historical work order information, as claimed in claim 1, 13 or 18. Claims 4 and 10 depend from claim 1, and claims 19 and 20 depend from claim 18. Thus, claims 4, 10 and 19-20 are believed to be allowable due to their dependency on claims 1 and 18.

Claim 17 has been amended to recited a system for predicting proactive maintenance of a telephone system local loop, comprising: a Dynamic Network Analyzer module communicating with a communications network and acquiring Dynamic Network Analyzer information; a Loop Facilities and Control System module communicating with the communications network and acquiring Loop Facilities and Control System information; a Digital Loop Carrier module communicating with the communications network and acquiring Digital Loop Carrier information; a database stored in memory, the database storing the acquired information; and a processor capable of processing information stored in the database and of generating proactive maintenance, wherein the processor provides a common database of the proactive maintenance for a user to access and use, and updates the proactive maintenance in response to user information inputted by the user. Support for the amendment can be found, for example, in the paragraph [0040] on page 16 of the specification.

None of Kinser and Kulatunge suggests or teaches the element: the processor provides a common database of the proactive maintenance for a user to access and use, and updates the proactive maintenance in response to user information inputted by the

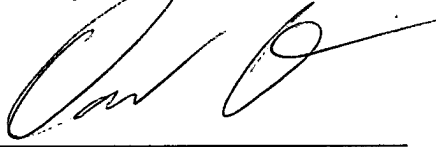
user, as claimed in claim 17. Thus, claim 17 is not rendered obvious over Kinser in view of Kulatunge.

Conclusion

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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Date: March 18, 2003